

October 21, 1977

Mr. James T. McIntyre, Jr.
Acting Director
Office of Management and Budget
Old Executive Office Building
Washington, D.C. 20503

Dear Jim:

I would like to review with you the Department of Defense position on H.R. 3277 and similar bills to provide recognition to the Women's Air Force Service Pilots [WASPs].

The previous position of the DoD was to defer to the Veterans Administration as the executive agency with principal responsibility. Recently, a historical review of the WASP program revealed certain facts and arguments that appear to us to warrant support of the WASPs legislation. This would not only correct past inequities, but would also represent a strong symbolic statement of this Administration's commitment to equality and the All Volunteer Force.

The Department of Defense supports recognition of the WASPs service to their country during World War II. We believe their service should be treated as active duty in the Armed Forces of the United States for purposes of laws administered by the Veterans Administration.

Sincerely,
/s/ Charles W. Duncan, Jr.

Enclosures

Summary of Historical Review
Telegram to Potential WASP

SUMMARY OF HISTORICAL REVIEW [WASPs]

1. **INTENT TO MILITARIZE.** There was the intent and the expectation by both military leaders and WASPs that they would be militarized.

a. At the inception, it was deemed more expedient to create the WASP program by classifying the women in as Civil Service to meet an immediate need for pilots so that male pilots could be released for combat. The Army intent was to commission the women pilots into military service once the program was proved successful.

b. WASPs were informed of militarization plans through both written and oral communication. For example, records reveal that a telegram sent to a potential WASP informed her not to volunteer unless she was prepared to be militarized (Encl 2).

c. The military actively sought Congressional approval of military status. General Arnold attempted in 1944 to have legislation effected to directly commission the WASPs into the Army Air Corps.

d. The Military Affairs Committee, House of Representatives, in their report on WASPs recommended their militarization.

e. The WASP militarization bill was introduced and debated in the House. Although the debate established that militarization was in fact the intent from the inception of the WASPs program, recently deactivated civilian pilots organized protests against militarization of WASPs. These deactivated contract pilots had suddenly become eligible for selective service action. The WASP militarization bill was defeated on the House floor by a mere 19 votes.

2. **QUASI-MILITARIZATION.** Although the WASPs were not militarized, the intent and expectation of militarization caused the Army to treat the program in a manner that made it as effectively military as legal constraints permitted. The women were required to perform military duties not required of other civil pilots. These included:

a. Being subject to military discipline and courtesy. While not subject to courts-martial jurisdiction, evidence shows that many WASPs believed themselves governed wholly by military law, as did many military officers, whose discipline reflected that belief.

b. Taking part in parades and drills.

c. Living in barracks, cleaning and standing barracks inspection during training and living in BOQs after training.

d. Standing roll call inspections.

e. Carrying weapons and training in their use.

f. Being informed of the nonfraternization with enlisted personnel rules which applied only to commissioned officers.

g. Wearing uniforms whether on or off duty.

h. Participating in courses normally reserved for military personnel (military law, military courtesy, articles of war).

i. Flying in capacities not known to be duplicated by civilian pilots.

(1) ferrying pursuit aircraft;

(2) test flying new jet aircraft;

(3) towing targets for air-to-air gunnery practice with live

ammunition--facing hazards and risk of death without the emotional inspiration of combat;

(4) towing anti-aircraft targets which were fired on with live ammunition;

(5) flying radio-controlled aircraft;

(6) graduating from specialized flight schools (pursuit & bomb);

(7) being assigned to Air Force bases with restricted projects (Manhattan Project, anti-aircraft support with drones, air proving ground, research and development).

3. **THE RELEVANCE OF ARGUMENTS BASED ON EQUITY.**

The importance of the evidence developed that (1) there was an intent to militarize the WASPs, (2) expectations were created and fostered, and (3) WASPs were subject to an effective military environment is not just historic. While it is wholly appropriate to rectify a past injustice, there is a further present-day reason for doing so. In today's climate, there must be an assurance that promises, implied or made, will be kept if we are to recruit and retain motivated, dedicated people for the All Volunteer Force. To the extent that an implied promise made to a group that has historically suffered discrimination can be kept, today's pledge to equal opportunity is strengthened.

4. **OPPOSING ARGUMENTS ARE NOT IMPRESSIVE.** The resistance to granting the WASPs militarization for limited veterans' benefits seems to be based on (1) a fear such action would open a floodgate for other potential claimants, (2) that the WASPs were not different from other groups who contributed to the war effort, and (3) that they did not face unique hazards and risk of death.

a. The Pandora's Box issue is overdrawn. It is based on an assumption with no conclusive evidence that other groups would pursue similar action, and would prevail. While the costs of many programs would be high, the costs of the WASPs' benefits are so modest, as to demonstrate that status recognition is a crucial element of the legislation. VA estimates for WASPs veterans' benefits range from \$123,706 for FY 78 to \$188,911 for FY 83.

(1) Russian Railway Workers and the Czechoslovakian-Polish partisans received belated veterans' status without establishing a precedent for the WASPs or any other group.

(2) Spanish-American and World War I groups who may be potential claimants involve few people. Furthermore, the lapse of time alone would seem to create a logical distinction.

b. Thus, there are logical distinctions between the WASPs and other groups in:

(1) the hazards faced in unique mission flying not required of other civil pilots included target towing in range of live ammunition;

(2) the option of civilian pilots, but not WASPs, to accept active duty commissioning after their 90-day training period;

(3) the intent to militarize: (for example, see para 1 and attached telegram);

(4) the clear promise and expectation of militarization;

(5) the organization and operation along military lines.

Behind these opposing arguments is the inference that neither Congress nor the Administration could distinguish any other potential claims even though those other claims might be less meritorious and persuasive. The Department of Defense is confident that the Administration and the Congress are capable of making appropriate distinctions based on logic and equity to assure that hypothetical expansion of veterans' benefits does not ensue.

WESTERN UNION

Brigadier Gen'l David N.W. Grant
Air Surgeon
Hdqtrs. Army Air Forces
Wash. D.C.

Am entering Women's Flying Training, Sweetwater, Texas. Understand this group becomes strictly Army. Will this affect status of Civil Service entree. If eliminated from pursuance flying instruction does entree retain civilian status or automatically be subject to WACS or ground crew. Rumor circulating to this effect. Please clarify immediately.

WESTERN UNION

C11 62 8 Extra Vovt LG Duplicate of Telegram Delivered from Chicago CFMmgr-WUX Chicago ILL Sep 1 851A
Loraine Zillner

914 Prairie AveOJ-AFRWP 175 Period

Impossible to answer questions you raise but it is probable WASPs will be militarized. If you are not prepared to follow through in this event, do not report at Sweetwater on 6 Sept. Please let us know your decision immediately so we may replace you if necessary.

Signed Cochran-
Arnold Cmdg Gen Army Air Forces Washn DC 955A